

Docket No. 212/473

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of:

Thomas A. Howell

Serial No.: 10/619,710

Filed: July 14, 2003

For: Power Supply for
Identification and Control of
Electrical Surgical Tools

Art Unit: 3739

Examiner: Vrettakos, Peter J.

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax 571 273 4775

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Date: July 6, 2005

K. David Crockett, Esq., 34311
Crockett & Crockett
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P.O. Box 1450
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Sir:

This terminal disclaimer is filed upon request of the
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Date: July 6, 2005

By:



K. David Crockett, Esq.
Reg. No. 34311

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T-027 P.003/004 F-351


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PTO/SB/28 (10-00)

Approved for use 10/31/2002. OMB 0651-0031

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<p>In re Application of: Thomas A. Howell Application No.: 10/619,710 Filed: July 14, 2003 For: Power Supply for Identification and Control of Electrical Surgical Tools</p> <p>The owner*, <u>Starion Instruments</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. <u>6,695,837</u>. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record.</p> <div style="text-align: right;"><p> Signature 7/6/05 Date K. David Crockett, Esq. Typed or printed name</p></div> <p><input type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) included.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.</p>		

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Date: July 6, 2005 By:



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